

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VINCENT PAUL FUREY,

Defendant.

CR 17-07-BU-DLC

ORDER

Following completion of a competency evaluation conducted at Federal Detention Center SeaTac, the Court held a Competency Hearing in the above-captioned case on August 24, 2017 (Docs. 20, 24.) Defendant Vincent Paul Furey appeared with counsel Andrew J. Nelson. The United States of America was represented by Bryan R. Whittaker. The government moved that the Defendant be declared presently mentally incompetent and that he be committed to the custody of the Attorney General for competency restoration. Defendant's counsel did not object to the government's request. Defendant's counsel moved that an evaluation of the Defendant's degree of risk be conducted concurrent to the competency restoration procedures requested by the government. The author of the competency evaluation, Forensic Unit Psychologist Dr. Ryan Nybo testified via

video teleconference regarding his report.

After considering Dr. Nybo's report, testimony, and the arguments presented by counsel, IT IS ORDERED:

(1) Defendant Vincent Paul Furey is declared mentally incompetent to stand trial in this cause and is recommitted to the custody of the Attorney General of the United States pursuant to 18 U.S.C. § 4241(d).

(2) The Attorney General shall, pursuant to 18 U.S.C. § 4241(d)(1), hospitalize Defendant Vincent Paul Furey for treatment in a suitable facility for such a reasonable period of time, not to exceed four months, as is necessary to determine whether there is substantial probability that in the foreseeable future Defendant Vincent Paul Furey will attain the capacity to permit his trial to proceed.

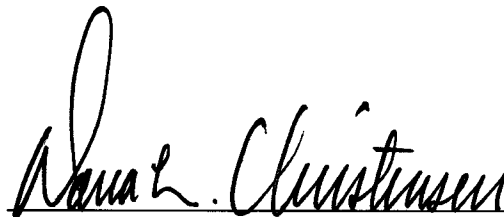
(3) Additionally, the director of the facility in which Defendant Vincent Paul Furey is hospitalized shall, pursuant to 18 U.S.C. § 4246(a), determine whether Defendant Vincent Paul Furey is currently suffering from a mental disease or defect as a result of which his release would create a substantial risk of bodily injury to another person or serious damage to property of another, and, if so, whether suitable arrangements for State custody and care of Vincent Paul Furey are available.

(4) The medical personnel supervising Defendant Vincent Paul Furey's treatment shall produce a brief status report every 30 days summarizing Defendant Vincent Paul Furey's condition, progress, and course of treatment.

(5) Said status report, as well as any additional or final reports on Defendant Vincent Paul Furey's medical or psychological condition, shall be disclosed to defense counsel and the United States Attorney and filed with this court under seal.

(6) The Clerk of Court shall notify the United States Marshals Service of the entry of this Order.

DATED this 25th day of August, 2017.

A handwritten signature in black ink, reading "Dana L. Christensen", written over a horizontal line.

Dana L. Christensen, Chief Judge
United States District Court